App F.IX 4]

WD2239.B490.

1924-5

File No. 299-24

Previous References (Muzrai)

Serial Nos. 1 to 9

Later references.

GENERAL & REVENUE SECRETARIAT

Serial Nos. 9

Part B for June 1925

SUBJECT

Disposal of the case of the attempted embezzlement of certain Accounts belonging to the Tirupathi Charities

Filed

Ordered to be recorded

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE.

No. C 1:99/24-25

Bangalore, 10th March .....1925 .

FROM

C.S. Balasundaram Iyer Esq. B.A.,
Muzrai
~~REVENUE~~ COMMISSIONER IN MYSORE.

GEN & 13MAR'925
MUZ

To

K. V. Anantaraman Esq. B.A.,
THE SECRETARY TO THE GOVERNMENT OF
HIS HIGHNESS THE MAHARAJA OF MYSORE
.....Revenue..... DEPARTMENT.

Fno 1482.

SIR,

I have the honour to submit for the information of Government, the following incidents in connection with the encashment of the Establishment Bill of the Tirupati charities, for the month of February 1925:—

2. This bill had been got duly audited in the Comptroller's Office and was to have been sent to the Treasury yesterday, namely, 9th March 1925 for encashment. It was made payable to Rangappa, acting Dafterband of this Office and was signed by my Assistant (Mr. M. Sadasiva Rao) for me. When the clerk Venkataramanaiya who had the bill with him went to take it out ~~from~~ from the table drawer where he had kept it on 7th March 1925 and to give it to Rangappa, he could not find the bill, and in order to ensure that the bill was not cashed by any body else in the Treasury he and Rangappa both went to the State Huzur Treasury to intimate that the bill was not found and that it should not be cashed if it was presented by anybody else, There they learnt that the bill had been cashed some ten minutes ago, and that a short stout and fair man had cashed it. The Head clerk of the office then sent Venkataramaiya Rangappa and M.A. Narayana Iyengar, acting Sivaganga mutt clerk of this Office to the Treasury to see whether the man who presented the bill at the Treasury could be identified by the treasury Officials.

P.T.O.

The Head clerk came and informed the above facts to my Assistant who sent the Head clerk at once to the Treasury to make enquiries, and then came to me and informed me of the same. With my permission, Mr. M. Sadasiva Rao went to the State Huzur Treasury, and in the presence of the State Huzur Treasury Officer made oral enquiries of Venkataramanaiya, Rangappa and the Treasury officials. The Head clerk (Mr.N.G. Krishnaiyengar) who was there, told my assistant that M.A. Narayana Iyengar admitted that he had cashed the bill, and would produce the money. Narayana Iyengar came and produced from his coat pocket R. 295-4-0 being the full amount of the bill in question saying, that he found the bill on the ground below Venkataramanaiya's table drawer on the evening of Saturday the 7th instant, and that he cashed it at the Treasury yesterday i.e. 9th instant, and that the signature on the bill namely Rangappa (in Kanarese) had been made on the bill when it was found by him on the 7th instant. The money produced consisted of twenty nine ten rupee notes, five rupees and one four anna silver piece. The numbers of the notes were then noted down in the presence of the persons assembled there, namely, Messrs. Hanumantha Rao, (S.H. Treasury Officer) M. Sadasiva Rao, N.G. Krishnaiyengar, A. Venkataramaiah and Rangappa. Mr. Sadasiva Rao then came to me and reported all these circumstances, and sought instructions as to what should be done, Under my instructions, the matter was placed before the police by Mr. M. Sadasiva Rao. The Police had been sent for by the State Huzur Treasury Officer, and to the Inspector, Mr. Sadasiva Rao gave the complaint stating the above facts handing over the money produced by Narayana Iyengar, giving the details of the numbers also, with a view to action being taken under the law in the matter.

3. The Police Inspector said that he would get the orders of the Magistrate and hand over the money to the office; he also said that he would make further inquiries after getting the bill in question from the Treasury. Further progress in the case will be duly

reported for the information of Government. A copy of the complaint given by Mr. Sivasiva Rao is sent herewith for kind perusal.

I have the honour to be,

Sir,

Your most obedient servant,

Revenue Commissioner.

G.R.

Submitted for personal. Further enquiry may be made as to the case may be awarded.

18/3/25

16/3/25

16/3/25

The Revenue Commissioner is exofficio Muzrai Commissioner and I am his Assistant for Muzrai Work. As such I draw bills and endorse them for encashment. The establishment pay bill of the Tirupati chattram for the month of February 1925 for Rs.295-4-0 was countersigned and got audited on 6-3-25. It was endorsed for payment to Rangappa, acting Daftarband of the Muzrai Commissioner's office. It was to have been presented to-day by Rangappa for -- bringing the cash for remitting to Tirupati Peshkar. At about 3-30 P.M.to-day, my Head clerk Mr. N.G.Krishna Iyengar came and told me that the bill was not found by Venkataramaniya, the clerk who keeps bills etc., when Rangappa came to take the bill to the Treasury at about 12 Noon or 1 P.M to-day and that Venkataramanaiya went with Rangappa to the Treasury to enquire there and leave word that the bill if it come any body else should not be cashed, from the Treasury that a short stout fair man had presented the bill and was paid same 10 minutes ago and that he had sent Venkataramanaiya Rangappa and M.A. Narayana Iyengar acting Sivaganga Matt clerk of this office to the Treasury. I said that the matter was serious and that he himself should go to the treasury to enquire. I then informed the Revenue Commissioner about the wrong payment and with his permission went to the State Huzur Treasury Officer. While there the Head clerk Mr. Krishnaiyengar came and told me that --- Narayana Iyengar the acting Sivaganga Matt clerk had received the money after presenting the bill and would produce the money. I made oral enquiries of Venkatramaniah and Rangappa and Narayana -- Iyengar came and produced this amount Rs.295-4-0 from his pocket stating that he found the bill on the ground below Venkatramaniah's table drawer on the evening of Saturday the 7th instant and that he cashed it this day at the treasury to-day and that the signature on the bill viz. had been made on the bill when it was found by him on the 7th instant. I produce the money that Narayanaiengar produced which are as follows:-

1 B/29 063377	for	Rs.10/-
1B/3 329673	"	Rs.10/-
1 A/83 643063	"	Rs.10/-
1 A/42 445132	"	Rs.10/-
1B/29 504521	"	Rs.10/-
1 A/83 710993	"	Rs.10/-
1 A/83 705259	"	Rs.10/-
1 A/83 594011	"	Rs.10/-
1 A/83 738131	"	Rs.10/-
1 B/15 995995	"	Rs.10/-

1	B/3	342798	For Rs.10/-
1	A/83	765718	" " 10/-
1	A/92	688043	" " 10/-
1	A/83	556154	" " 10/-
1	B/29	430610	" " 10/-
1	B/34	010745	" " 10/-
1	B/3	091322	" " 10/-
1	A/92	128112	" " 10/-
1	A/83	671221	" " 10/-
1	A/83	509703	" " 10/-
1	A/83	750653	" " 10/-
1	B/55	356686	" " 10/-
1	B/55	356687	" " 10/-
1	A/83	761677	" " 10/-
1	B/3	086290	" " 10/-
1	B/3	302663	" " 10/-
1	B/29	516254	" " 10/-
1	A/54	09835	" " 10/-
1	A/49	473927	" " 10/-

29

Rs.290/-
Rs. 5/-
Annas 0-4-0

Rupees 295-4-0

I request that action may be taken according to law.

Narayana Iyengar produced money before me in State Huzur --- Treasury Officer's room. The State Huzur Treasury Officer was also present.

9-5-1925.

(Sd.) M. Sadasiva Rao,
For Muzrai Commissioner.

"C o p y"

Muzrai Commissioner. 10/8/25.

4947

No. 1099/Muz. 5 Office of the Muzrai Commissioner in Mysore.

Dated Bangalore. 5th June 1925.

From

C. S. Balasundaram Iyer, Esq., B.A.,
Muzrai Commissioner in Mysore,
Bangalore.

GENL. & REV. SECTT. Bg. 7. JUN. 1925 G. D. SECTION.

D 1849
Muz 299-24-5

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department.

Sir,

With reference to your letter No.1690/Muz.dated 25th May 1925 re the attempted embezzlement of certain amount belonging to the --- Tirupati charities, I have the honor to state that the Criminal Case - No.440 of 24-25 on the file of the City Magistrate Court Bangalore is under enquiry and has been posted to 12th June 1925 for cross-examination of certain witnesses.

I have the honor to be,
Sir,
Your most obedient servant,
For Muzrai Commissioner.
(absent from station.)

KSR.

Subd for perusal, with previous refce. Hd Asstl
Report may be called for.
8/6/25 9.6.25
11.6.25

11761

No. C 1099 Gen-1 Office of the Muzrai Commissioner in Mysore.

Dated Bangalore. 3rd September 1925.

GEN. & REV SECRETARIAT. 1925

From

C. S. Balasundaram Iyer, Esq., B.A.,

Muzrai Commissioner in Mysore,

Bangalore.

4 SEP.

To

B. Srinivasa Iyengar. Esquire., B.A., B.L.,

Secretary to the Government

of His Highness the Maharaja of Mysore,

Revenue Department.

HV 575

Sir,

With reference to your D.O.No.219/Muz.29?-24 dated 18th ---- August 1925 calling for information as to the disposal of the case attempted embezzlement of certain amounts belonging to the Dharmada Charities, I have the honor to state that the accused was found guilty and sentenced on 24th August 1925, to one year's rigorous imprisonment.

A copy of the Judgment in the case, received with the City -- Magistrates letter, No.139 dated 27th August 1925 is herewith submitted for kind perusal.

I have the honor to be,

Sir.

Your most obedient servant,

3/9/25

For Muzrai Commissioner.

(Sent from Station)

KSR.

This may be filed after perusal. Submitted. 10.9.25.

AL 9.9.25.

8.9.1925.

28b/11.9 182 members

10.9.25

In the Court of the City Magistrate, Bangalore.
Dated the 24th day of August 1925.

Present:--J.V.Ramaswami, Esquire., M.A., B.L.,
City Magistrate, Bangalore.

Criminal Case No.440 of 1924-25.

Complainant -versus- Accused.

Government M.A.Narasimaiyar

1. The following witnesses were examined for the prosecution:--

(1) Mr. M. Sadasiva Rao, (2) A. Venkatramanaiah (3) A.V. ------ Venkatramanaiah (4) P. Krishna Rao (5) B.K.Anantha Jois. (6) T.G. Krishniengar, (7) Rangappa.

2. The following exhibits were filed for the prosecution:--

Exhibit P.1. Audited Establishment bill of Thirupathi Charities for the month of February.'25

do P.2. Complaint lodged by Mr. M. Sadasiva Rao before the Police.

do P(1) Signature in Kanarese as Rangappa in Ex.P.1.

do P.3. Token No.5 dated 9-3-25 in the Token Register for Rs.295-4-0.

do. P.4. Entry No.2 in the Sharoff's payment Book for -- Rs.295-4-0.

3. No articles were produced for the prosecution.

4. No.witnesses were examined for the defence.

5. Neither exhibits nor articles were produced for the defence.

6. The following are the charges framed against the accused:--

"That you on or about the 9-3-25 at Bangalore being a clerk in the Muzrai Commissioner's Office committed theft by stealing property, to wit, an audited bill of the said office for Rs.295-4-0 and ---- committed an offence punishable under section 381 of the Indian Penal Code and within my cognizance."

That you, on or about 9-3-25 at Bangalore pretending to be --- Rangappa dishonestly induced the State Huzur Treasury officials to -- make payment to you of Rs.295-4-0 and thereby committed an offence -- punishable under section 419 of the Indian Penal Code and within my cognizance."

That you, on or about 9-3-25 at Bangalore forged the signature of Rangappa in a document, to wit, ex. P.1 intending that it shall -- be used for the purposes of cheating and thereby committed an offence punishable under Section 468 of the Indian Penal Code and within my -- cognizance.

And I hereby direct that you be tried on the said charges."

Judgment.

1. The facts of the case are these:-- on 6-3-25 Ex.P.1 an audited bill of the Tirupathi Charities for February 25 was received at the Muzrai Commissioner's Office. This was endorsed the same day as follows:-- "Contents received. Please pay the amount to Rangappa acting Dufterband of this office" and was signed by P."1 Mr. Sadasiva Rao the Office --- Assistant to the Muzrai Commissioner. P."2 the Muzarai clerk kept the bill in his drawer, locked it and went hime, as the bill could not be - cashed that day owing to the late hour. The next day Rangappa was not available before 2 P.M. as he had taken permission to come late. And so P.W.2 took permission of the Head clerk to send the bill for encashment on the 9th, the 8th being a ~~Sam~~ Sunday, as bills would not be received late at the Treasury. Whom P.W.2 was talking this over with the Head Clerk the accused was at his seat beside P.W.2. So the bill was kept back in the same drawer and locaked by P.W.2 (on the 7th).

2. On the 9th P.W.2 went to the office and looked for the bill in his drawer and found it missing. He told this to the Head clerk and went to the Treasury to stop payment. He questioned the token Issue clerk P.W.3. This was between 12 & 1 P.M. P.W.3 told im that the bill had been presented and gone to the payment section. P.W.2 went and enquired of the Saraf who said it had just then been paid to some man called Rangappa. P.W.2 went again to the Token Issue Clerk and asked him if he could identify the party. The latter told him the man had a "Namam", was fair and stout and that he could identify the man. P.W.2 ~~wxx~~ went back and told all this to the Head Clerk (P.W.6) at the Muzrai Commissioner's office. The accused was then in the office. P.W.2 with Rangappa then took the accused with them to the Treasury for purposes of identification, as the accused was the only man in the office to whom the description given by P.W.3 applied. There P.W.3 identified the accused as the man who had presented the bill (Ex.P.1 for Rs.295-4-0) P.W.2 then went to the Treasury Officer and told him what had occurred. By this time P.Ws.1 & 6 had also turned up at the Treasury. After the accused was identified at the Treasury he said he would produce the money P.W.6 told this to P.W.1 who sent for the accused to the Treasury Officer's room. Therethe accused produced Rs.295-4-0 from his pocket. His --- version is that on the 7th at 4-30 P.M. he saw the bill Ex.P.1 lying on the ground below the table of P.W.2. The payee Rangappa had already -

already signed it. The accused kept the bill in his drawer and on the 9th he took it to the Treasury and cashed it "by mistake.". P.W.2 deposes that the signature of Rangappa was not affixed to the bill on the 7th and that Rangappa always signs his name in English. The signature of Rangappa on the bill is in Kannada. P.W.7 Rangappa says that the signature on Ex.P.1 (marked Ex.P.1(a)) is not his & that he always signs in English, and that he did not sign and give Ex.P.1 to the accused. P.W.3 the token issue clerk says that the accused presented Ex.P.1 on the 9th at 11-30 A.M. The bill was not signed then by the -- payee. The witness pointed this out. The accused said his name was Rangappa and took the bill inside and brought it back signed. Then -- the token was issued being the 5th for that day. At 12-30 P.M. P.W.2 came with his enquiry and half an hour later the accused was brought to the witness P.W.3 who identified him.

3. P.W.4 the Saraf says that the bill P.1 was the second bill passed that day.

4. P.W.5 a clerk at the State Huzur Treasury says that at 11-30 A.M. the accused had come to him for a pen (at the Treasury) and that he --- obliged him with the same.

5. This concludes the evidence in this case, the accused has --- adduced no defence evidence. He was charged under sections 381, 419, and 468 Indian Penal Code for the theft of the bill, for personating -- Rangappa and cheating the Treasury thereby, and for forging Rangappa's signature to the bill. The accused's plea is not guilty.

6. The essential facts of this case as narrated above speak for -- themselves. The prosecution evidence is clear and consistent and there is absolutely no reason to disbelieve the whole or any portion of it. Even according to the accused's own statement he virtually pleads guilty to the theft of the bill and the dishonest encashment of it by pretending to be Rangappa. He only gave up the amount when he saw that the fat was in the fire. It is clear also from the prosecution evidence that he must have ~~xx~~ forged the signature of Rangappa. It was because P.Ws. 1, 2 & 6 took immediate steps about the missing bill that this case has been so promptly detected and so satisfactorily proved. The accused has been so promptly detected and so satisfactorily proved. The --- accused has not shown even a repentant spirit as in evidenced by his plea though this is presumably his first offence. I convict the --- accused on each of the three counts on which he is charged and sentence

sentence him to rigorous imprisonment for four months on each -- count the sentences to run consecutively.

In open court,

(Sd.) H.V.Ramaswami,

City Magistrate,

24-8-28.

"C o p y"

for Muzral Commissioner.

KSR.

G. R. S. 59]

GENERAL AND REVENUE SECRETARIAT.

1912-13
(Murzrai)

File No. 523-12

Serial Nos. 182

11 pages

Papers Filed.

Month March 1913

SUBJECT.

Purchase of vessels for the Sri Srikanteswara Swami Temple at Nanjangud.

PREVIOUS REFERENCES	LATER REFERENCES
52 file 438-10	